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13 **UNITED STATES DISTRICT COURT**
14 **CENTRAL DISTRICT OF CALIFORNIA**

15 ENTROPIC COMMUNICATIONS,
16 LLC,

17 Plaintiff,

18 v.

19 COX COMMUNICATIONS, INC.;
20 COXCOM, LLC; and COX
21 COMMUNICATIONS CALIFORNIA,
22 LLC,

23 Defendants.

Case No.: 2:23-cv-01049

**NOTICE OF RELATED CASES
PURSUANT TO L.R. 83-1.3.1**

Pursuant to Local Rule 83-1.3.1, Plaintiff Entropic Communications, LLC (“Entropic”) hereby gives notice that the instant action is related to the following recently filed action that has not yet been assigned a judge:

- *Entropic Communications, LLC. v. Cox Communications, Inc., et al.*, Case. No. 2:23-cv-01047, filed February 10, 2023 (C.D. Cal.) (“Cox MoCA Action”).

The instant action is also related to the following cases currently pending before Judge John W. Holcomb:

- *Entropic Communications, LLC v. DIRECTV, LLC, et al.*, Case No. 2:22-cv-07775-JWH-JEM, filed March 9, 2022 (C.D. Cal.) (“DTV Action”).
- *Entropic Communications, LLC. v. DISH Network Corporation, et al.*, Case. No. 2:22-cv-07959-JWH-JEM, filed March 9, 2022 (C.D. Cal.) (“DISH Action”) (consolidated with the DTV Action, [see Dkt. # 52]).

Local Rule 83-1.3.1 states that cases are related if they “(a) arise from the same or a closely related transaction, happening, or event; (b) call for determination of the same or substantially related or similar questions of law and fact; or (c) for other reasons would entail substantial duplication of labor if heard by different judges.” As discussed below, the instant action is related to the Cox MoCA Action as well as the DTV Action and DISH Action (together, the “DTV/DISH Actions”) on the basis of all three elements weighing in favor of their being heard by the same judge (as well as being heard at the same time).

The instant action and the Cox MoCA Action arise from the same or a closely related transaction, happening, or event. First, the instant action is directed to the infringement of Entropic’s patents by Cox Communications, Inc., CoxCom, LLC, and Cox Communications California, LLC (collectively, the “Cox Defendants”), which are the same defendants as in the Cox MoCA Action. Second, the accused products in the instant action include certain Arris Cable Modem Products, and the accused services are provided by the Cox Defendants by means of the accused products. These are the

1 same accused products and services accused of infringement in the Cox MoCA Action.
2 Entropic is the sole plaintiff in both the instant action and the Cox MoCA Actions.

3 The instant action and the DTV/DISH Actions also arise from the same or a
4 closely related transaction, happening, or event. Pursuant to the December 13, 2022
5 Minute Order issued by the Court in the DTV Action [Dkt. # 176], the DTV Action and
6 DISH Action are deemed related and have been consolidated, with the DTV Action as
7 the lead case. The DTV/DISH Actions relate to the infringement of Entropic's patents
8 by telecommunication products and/or services provided by the defendants.
9 Specifically, the DTV/DISH Actions allege infringement of U.S. Patent No. 8,792,008
10 (the "'008 Patent"). The '008 Patent is also being asserted in the instant action against
11 the Cox Defendants. Specifically, claims 1 and 2 of the '008 Patent are being asserted
12 against all defendants in these three actions.¹

13 Accordingly, L.R. 83-1.3.1(a) supports a finding that these cases are related.

14 The instant action and the Cox MoCA Action call for determination of the same
15 or substantially related or similar questions of law and fact. For example, both actions
16 will deal with the development, use, and sale of the Cox Defendants' same accused
17 products and services. Additionally, discovery issues—including witnesses and
18 documents in the Cox Defendants' custody related to the development and use of their
19 telecommunications products and services—will be substantially similar between the
20 cases, which would lead to increased efficiency if the instant action is deemed related
21 to the Cox MoCA Action.

22 The instant action and the DTV/DISH Actions also call for determination of the
23 same or substantially related or similar questions of law and fact. For example, all three
24 actions will deal with the validity of the '008 Patent, which likely will include
25 overlapping claim construction issues. Discovery issues—including Entropic's
26 witnesses and documents relating to the '008 Patent—will be substantially similar

27 ¹ While claims 1 and 2 are not specifically asserted in the complaints of the
28 DTV/DISH Actions, they have been asserted in the infringement contentions, which
are properly before this Court.

1 between the cases, which would lead to increased efficiency if the instant action is
2 deemed related. The same third parties will be at issue in the instant action and the
3 DTV/DISH Actions as the accused products in both cases incorporate the same or
4 similar chips from a third party manufacturer Broadcom.

5 Thus, L.R. 83-1.3.1(b) also supports a finding that these cases are related.

6 The instant action and the Cox MoCA Action should be deemed related for other
7 reasons to avoid substantial duplication of labor if heard by different judges. For
8 example, discovery disputes, potential defenses asserted by the Cox Defendants, and
9 any other disputes between the Cox Defendants and Entropic are likely to be similar.
10 As such, if these cases were heard by different judges, there would be substantial
11 duplication of labor because both judges would be required to address and adjudicate
12 the same factual and legal issues.

13 The instant action and the DTV/DISH Actions also should be deemed related for
14 other reasons to avoid substantial duplication of labor if heard by different judges. For
15 example, any discovery disputes, technical tutorials required by the Court, or
16 substantive motions heard by the Court will be duplicative as to the '008 Patent across
17 all three cases. As such, if these cases were heard by different judges, there would be
18 substantial duplication of labor because both judges would be required to address and
19 adjudicate the same factual and legal issues.

20 Accordingly, L.R. 83-1.3.1(c) supports a finding that these cases are related.

21 For the foregoing reasons, Entropic believes that the instant action and the Cox
22 MoCA Action clearly qualify as related cases and thus should both be heard by Judge
23 John W. Holcomb. In addition, Entropic believes that the instant action and the
24 DTV/DISH Actions also qualify as related cases and thus the instant action should be
25 heard by Judge John W. Holcomb.

26 In addition, Entropic is concurrently filing another complaint in this District
27 Court directed to infringement of the same patents asserted in the instant action, which
28 includes the '008 Patent asserted in the DTV/DISH Actions. This complaint is for patent

1 infringement by Comcast Corporation, Comcast Cable Communications, LLC, and
2 Comcast Cable Communications Management, LLC by telecommunication products
3 and/or services provided by the defendants. As such, Entropic asks the Court to deem
4 the forthcoming action as related to the instant action and the DTV/DISH Actions as
5 well, and will be providing a separate notice detailing the specific reasons pursuant to
6 L.R. 83-1.3.1.

7
8 Dated: February 10, 2023

By: /s/ Christina N. Goodrich

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